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part deals largely with preventive measures adapted to reduce sexual crimes, frauds, alcoholism, crimes resulting from influences of poverty and wealth, and religious, educational, and political conditions; also with the results of faulty penal and procedural methods; the second contains a suggestive outline of conditions which should determine the application of penal and quasi-penal measures, with relatively brief reports of their practical results.

Many of these suggestions the average American reader may deem unsuited to social, economic, and industrial conditions here, still their value for use in the New World is only partially impaired, for in dealing with criminals the knowledge of what not to do is an important thing, and this knowledge is gained quite as much in practical experience, European as well as American, as in pure theory.

Again, the cosmopolitan character of the population of many of our great cities renders valuable any information as to the penological conditions obtaining in the countries whence the foreign elements have come, and this volume abounds in such data. It is gratifying to note in passing the author's commendation of the probation system, a distinctly Massachusetts product.

There is an adequate introductory summary, by Professor Parmelee, of the earlier and connected work "The Criminal Man," and the book-work, as is to be expected of these publishers, is excellent. W. B.

MANUAL OF POLITICAL ETHICS. By Francis Lieber. Second Edition, Revised and Edited by Theodore D. Woolsey. In two volumes. Philadelphia and London: J. B. Lippincott Company. 1911. pp. 472; 459.

These two formidable volumes suggest but do not elucidate the manner of Francis Lieber's life and work. Born in Berlin in 1800, he volunteered for the campaign of 1815 under Blücher, fought at Ligny, and was twice wounded during the advance on Paris. To his generous mind, as to that of many another German youth, the reaction in Prussia which came with peace was a cruel disappointment. He promptly joined the liberal student movement and was as promptly harried from university to university by the police. Twice he was imprisoned. Between terms of confinement he went to Greece and offered his services against the Turks. Finally, persecuted out of Germany, he came to the new world. Here he laid aside his sword and armed himself instead with the pen. While in Boston he edited and in considerable part wrote the *Encyclopædia Americana*. In Columbia, South Carolina, where he taught in the State University for nearly twenty years, he produced the work under review, and also his *Legal and Political Hermeneutics* and a book on *Civil Liberty and Self-Government*. His opinions were not highly appreciated in South Carolina, however, and in 1856 he moved to New York where he joined the faculty of Columbia University and remained until his death. Throughout the struggle with the South, although his sons fought in both armies, he was the trusted adviser of the Union administration. As such he prepared the Instructions for the Government of the Armies of the United States in the Field, a landmark on the road toward legal mitigation of the hardships of war.

Thus much has been written of the author's life because it serves to indicate the value and limitations of the work under review. Lieber was too much a man of action to write on political theory a treatise of the first rank. But, for the same reason, he was incapable of fanatic or fantastic speculation. The *Political Ethics* opens with a long demonstration that man is a rational and moral individual. Then the author proceeds to define Natural Law as a body of rights which may be deduced from this essential nature of man. Politics proper he takes to be the science which ascertains the best means of securing

these rights "both according to the result and conclusion of experience, and the demands of existing circumstances." The development of the foregoing propositions, together with an illuminating treatise on "The State," calculated to explain and elaborate them, constitutes the first part of the book. With explanation and elaboration, however, these definitions seem hopelessly general. But it must be admitted that here the author sins in respectable company. Not even Locke was specific when he wrote of man's "Natural Right" to property, liberty, and life. What this "Right" may be at any particular time and place is the ever-recurring problem of community existence. We live in the hope that we are approximating its solution more and more closely. But no quite satisfactory definitions of "Natural Law" and "Natural Rights" have ever yet been penned. Lieber is suggestive and sound as far as he goes. For the careful student there is much of value in this theoretical portion of his work.

The second part of the Manual, devoted to "Political Ethics Proper," reflects Lieber nearly at his best. "By what moral principles ought we to be guided in specific political cases?" This question the author undertakes to answer in relation to the more important exigencies of political life as he knew it. He balks at no difficulties, and, at times, his conclusions somewhat shock the worthy editor. Thus Lieber justifies lying to an enemy and even poisoning wells in war time. (He completely abandoned the latter position in his Army Instructions.) But these are exceptional and extreme cases. Most of the questions which he deals with he illumines by practical comment, varied illustration, and sound and convincing judgment. The argument, though not always conclusive, never fails to be enlightening. No man can turn these pages, even casually, without profit. And yet the Manual of Political Ethics, in its present form, is likely to be esteemed rather than read. Much of the discussion is too prolonged and some of it is out of date. The work should be re-edited. It was written over seventy years ago, and such revision and editing as the present edition displays was done in 1873. We are still interested in woman suffrage and in the dangers of excessive party zeal, but who cares to read forty pages on the right of legislatures to instruct United States senators? Lieber's general principles should be preserved as he wrote them, together with as many of his specific observations as relate to living questions. But obsolete details and comment thereon should be eliminated or relegated to foot-notes. When this has been done, we shall have more reading of a sane, thoughtful, interesting and helpful book and not so much loose talk about its being a classic.

H. A. Y.

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SIX ROMAN LAWS. Translated with Introduction and Notes by E. G. Hardy, M.A., D.Litt., Fellow and Tutor of Jesus College, Oxford. Oxford: The Clarendon Press. 1911. pp. vii, 176.

In this little book we have clear and accurate translations of six important monuments of Roman legislation with respect to public law. The laws translated are: *Lex Acilia Repetundarum*, *Lex Agraria*, *Lex Antonia de Termessibus Majoribus*, *Lex Municipii Tarentini*, *Lex Rubria de Gallia Cisalpina*, and *Lex Julia Municipalis*. The text used is the sixth edition of Bruns' *Fon'es Juris Romani antiqui*. This is not the latest edition; but as the author says, no changes in the text of these laws appear in the seventh edition. The purpose of the translation is to permit students of history to use these important sources, without the labor of translating the unfamiliar legal phraseology and of wrestling with the numerous and difficult problems presented by gaps and lacunæ. These gaps and the conjectural restorations by which they have been filled are not indicated, so that the book must be a companion to Bruns rather than a substitute therefor. But the introductions and some of the notes